

U.S. DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

2007 JAN 17 PM 4:51

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

LORETTA G. WHYTE
CLERK

DEC 29 2006

FILED
CLERK'S OFFICE

A CERTIFIED TRUE COPY

JAN 17 2007

ATTEST
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

DOCKET NO. 1657

JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS
LIABILITY LITIGATION**

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-80)

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 360 F.Supp.2d 1352 (J.P.M.L. 2005). Since that time, 5,552 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Inasmuch as no objection is pending at this time, the stay is lifted.

JAN 17 2007

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

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JAN 30 2007

Deputy Clerk, U.S. District Court
Eastern District of Louisiana
New Orleans, LA

[Signature]
Deputy N. Lüthi
Clerk of the Panel

Fee _____
Process _____
☒ Dkt'd _____
Clerk Dep _____
Doc. No. 9713

SCHEDULE CTO-80 - TAG-ALONG ACTIONS
DOCKET NO. 1657
IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY
LITIGATION

EDLA
SEC. L/3

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	
CALIFORNIA CENTRAL		
CAC 2 06-7329	Martha Fernandez v. Merck & Co., Inc.	07-344
CALIFORNIA EASTERN		
CAE 2 06-2436	Ray Slusser v. Merck & Co., Inc., et al.	07-345
CAE 2 06-2523	Anthony Gutierrez, et al. v. Merck & Co., Inc., et al.	07-346
CAE 2 06-2525	Ruby Wheeler, etc. v. Merck & Co., Inc., et al.	07-347
CAE 2 06-2546	Michael A. Gamberg, Sr., et al. v. Merck & Co., Inc., et al.	07-348
CAE 2 06-2547	Ernest E. Whitesell, et al. v. Merck & Co., Inc., et al.	07-349
CAE 2 06-2548	Nirmal S. Bains, et al. v. Merck & Co., Inc., et al.	07-350
CAE 2 06-2559	William D. Schnack, et al. v. Merck & Co., Inc., et al.	07-351
CAE 2 06-2560	Susan Leslie, et al. v. Merck & Co., Inc., et al.	07-352
CAE 2 06-2563	Kathie K. Sabato, et al. v. Merck & Co., Inc., et al.	07-353
CAE 2 06-2568	Michael D. Ento v. Merck & Co., Inc., et al.	07-354
CAE 2 06-2574	Terry Gann v. Merck & Co., Inc., et al.	07-355
CAE 2 06-2575	Louis M. Fatur, etc. v. Merck & Co., Inc., et al.	07-356
CAE 2 06-2598	Joan A. Olson v. Merck & Co., Inc., et al.	07-357
CAE 2 06-2599	Denise G. Crank v. Merck & Co., Inc., et al.	07-358
CAE 2 06-2600	Betty Phares, et al. v. Merck & Co., Inc., et al.	07-359
CAE 2 06-2601	Jacqueline K. O'Sullivan v. Merck & Co., Inc., et al.	07-360
CALIFORNIA NORTHERN		
CAN 3 06-7068	Joan H. Cole v. Merck & Co., Inc.	07-361
CAN 3 06-7069	George Bernal v. Merck & Co., Inc.	07-362
CAN 3 06-7084	Maria Estella Rosendo v. Merck & Co., Inc.	07-363
CAN 3 06-7085	Roberta Salazar v. Merck & Co., Inc.	07-364
CAN 3 06-7163	Katherine Kloverstrom v. Merck & Co., Inc., et al.	07-365
CAN 4 06-7118	Michael Sisson v. Merck & Co., Inc.	07-366
CAN 4 06-7120	Joanne Rincon, et al. v. Merck & Co., Inc.	07-367
CAN 5 06-7040	Viet Tran v. Merck & Co., Inc.	07-368
CALIFORNIA SOUTHERN		
CAS 3 06-2535	Hermogenes Del Rosario v. Merck & Co., Inc., et al.	OPPOSED 1/10/07
CAS 3 06-2536	Maria Graham, etc. v. Merck & Co., Inc., et al.	OPPOSED 1/10/07
CAS 3 06-2537	Sandra Boardman, etc. v. Merck & Co., Inc., et al.	OPPOSED 1/10/07
CAS 3 06-2538	Lloyd Bell, etc. v. Merck & Co., Inc., et al.	OPPOSED 1/10/07
CAS 3 06-2539	Joseph Cornwall, etc. v. Merck & Co., Inc., et al.	OPPOSED 1/10/07
FLORIDA MIDDLE		
FLM 5 06-414	Patricia Terry v. Merck & Co., Inc., et al.	07-369
FLM 8 06-2178	Donald R. Breckley, etc. v. Merck & Co., Inc., et al.	07-370
FLM 8 06-2180	Costas Gianaros v. Merck & Co., Inc., et al.	07-371
FLM 8 06-2195	Victor Rodriguez Rojas v. Merck & Co., Inc., et al.	07-372
FLORIDA SOUTHERN		
FLS 1 06-22737	Manuel Ramirez, etc. v. Merck & Co., Inc.	07-373
ILLINOIS NORTHERN		
ILN 1 06-6150	Celia Bucio, et al. v. Merck & Co., Inc.	07-374
ILN 1 06-6413	Emma Bruce, etc. v. Merck & Co., Inc.	07-375

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>EDLA</u> <u>SEC. L/3</u>
ILLINOIS SOUTHERN		
ILS 3 06-913	Donald Cuff v. Merck & Co., Inc.	07-376
ILS 3 06-931	Glenn Romine v. Merck & Co., Inc., et al.	07-377
ILS 3 06-934	Joseph Hogg v. Merck & Co., Inc.	07-378
ILS 3 06-935	Jessie Lucas v. Merck & Co., Inc.	07-379
ILS 3 06-936	Barbara J. McKeal v. Merck & Co., Inc.	07-380
ILS 3 06-937	Jack Ridinger v. Merck & Co., Inc.	07-381
ILS 3 06-948	Patricia A. Taylor v. Merck & Co., Inc., et al.	OPPOSED 1/10/07
ILS 3 06-949	Pearl Hayes, et al. v. Merck & Co., Inc.	07-382
ILS 3 06-965	Richard Schlemer v. Merck & Co., Inc., et al.	OPPOSED 1/10/07
ILS 3 06-966	Lucy Petty, etc. v. Merck & Co., Inc., et al.	07-383
ILS 3 06-967	Melvin Mayfield v. Merck & Co., Inc., et al.	OPPOSED 1/10/07
MARYLAND		
MD 1 06-3063	George Pipiris, et al. v. Merck & Co., Inc.	07-384
MISSISSIPPI NORTHERN		
MSN 1 06-313	V.J. Robinson, et al. v. Merck & Co., Inc., et al.	07-385
MSN 3 06-143	Scott Neal, et al. v. Merck & Co., Inc.	07-386
NEW YORK SOUTHERN		
NYS 1 06-13145	Antonia Cannavo, et al. v. Merck & Co., Inc.	07-387
OHIO NORTHERN		
OHN 1 06-2582	Cynthia L. Walters-Farmer, et al. v. Merck & Co., Inc.	07-388
PENNSYLVANIA EASTERN		
PAE 2 06-5124	Marion Gass v. Merck & Co., Inc.	OPPOSED 1/16/07
SOUTH CAROLINA		
SC 4 06-3225	Joyce R. Sanders, etc. v. Merck & Co., Inc., et al.	OPPOSED 1/16/07
SC 4 06-3280	Virginia Dorriety v. Merck & Co., Inc.	07-389
SC 8 06-3230	Ruby Jean Isler v. Merck & Co., Inc.	07-390
TENNESSEE EASTERN		
TNE 1 06-249	Margaret Tregaskis, etc. v. Merck & Co., Inc.	07-391
TEXAS EASTERN		
TXE 1 06-732	Sam A. Maida v. Merck & Co., Inc.	07-392
TXE 2 06-476	George Carter, et al. v. Merck & Co., Inc.	07-393
TXE 6 06-492	Dennis March v. Merck & Co., Inc.	07-394
TXE 9 06-255	Michael Braid, et al. v. Merck & Co., Inc., et al.	07-395
TEXAS NORTHERN		
TXN 4 06-805	Bonnie Davis v. Merck & Co., Inc.	07-396
TXN 4 06-815	Tommy Weddington v. Merck & Co., Inc.	07-397
TEXAS SOUTHERN		
TXS 1 06-181	Maria G. Gonzalez v. Merck & Co., Inc., et al.	OPPOSED 1/10/07
TXS 1 06-185	Rosalio Adame, et al. v. Merck & Co., Inc., et al.	07-398
TXS 3 06-721	John Blazier v. Merck & Co., Inc., et al.	OPPOSED 1/17/07
TXS 3 06-723	Evert Crump v. Merck & Co., Inc., et al.	OPPOSED 1/17/07
TXS 3 06-724	Richard Smith v. Merck & Co., Inc., et al.	OPPOSED 1/17/07
TXS 4 06-3689	Vada Tolbert v. Merck & Co., Inc., et al.	OPPOSED 1/17/07
TXS 7 06-345	Abdon Gonzalez v. Merck & Co., Inc., et al.	OPPOSED 1/10/07
TXS 7 06-346	Maria Quintanilla v. Merck & Co., Inc., et al.	OPPOSED 1/10/07
TXS 7 06-347	Adriana Negrete v. Merck & Co., Inc., et al.	OPPOSED 1/10/07

DIST. DIV. C.A. #CASE CAPTIONEDLA
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TEXAS WESTERN

TXW 1 06-902

James Mercer v. Merck & Co., Inc., et al.

07-399

~~TXW 5 06-985~~~~Selma Gonzalez, et al. v. Merck & Co., Inc., et al.~~

OPPOSED 1/10/07

UTAH

UT 2 06-986

Lisa Ann Phillips, et al. v. Merck & Co. Inc.

07-400